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OFFICE OF PETITIONS

In re Application of :
Semba et al. :
Application No. 09/465,708 : DECISION ON
Filed: December 17, 1999 : PETITION
Atty Docket No. FUJI-16.863 :
:

This is a decision on the "Petition to Revive Unintentionally Abandoned Application Under 37 CFR § 1.137(b)" filed June 9, 2005.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a proper response to the final Office action mailed July 14, 2004. This Office action set a three-month period for reply, with extensions of time permitted under § 1.136(a). A response, made timely by an accompanying petition (and fee) for extension of time for response within the first month, was filed on November 12, 2004. However, this response was determined by the examiner not to place the application in condition for allowance. See advisory action mailed May 17, 2005. No further response was filed and no further extensions of time obtained. Accordingly, the application became abandoned effective November 15, 2004. A courtesy Notice of Abandonment was mailed on May 18, 2005.

With the instant petition, petitioner submitted the required reply in the form of a request for continued examination (RCE) with fee and submission, paid the petition fee and made the required statement of unintentional delay. It is concluded that petitioner has met all requirements for a grantable petition under 37 CFR 1.137(b).

Technology Center AU 2642 has been advised of this decision. The application is, thereby, forwarded to Technology Center AU 2642 for consideration of the RCE and submission filed on petition filed June 9, 2005.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", with a large, stylized flourish extending from the end of the name.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions